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Cadila Healthcare, Limited

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

TAKEDA PHARMACEUTICAL
COMPANY LIMITED, TAKEDA
PHARMACEUTICALS NORTH
AMERICA, INC., TAKEDA
PHARMACEUTICALS LLC,
TAKEDA PHARMACEUTICALS
AMERICA, INC., and ETHYPHARM,
S.A.,

Plaintiffs,

v.

ZYDUS PHARMACEUTICALS USA
INC. and CADILA HEALTHCARE
LIMITED,

Defendants.

CIVIL ACTION NO:
3:10-CV-01723-JAP-TJB

**NOTICE OF
DEFENDANTS' MOTION
FOR RECONSIDERATION OF
CLAIM CONSTRUCTION**

[ORAL ARGUMENT REQUESTED]

Return Date: November 21, 2011

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on November 21, 2011 or as soon thereafter
as counsel can be heard, the undersigned counsel for Defendants Zydus

Pharmaceuticals, USA, Inc. and Cadila Healthcare, Limited (collectively “Zydus”) will move pursuant to Local Civil Rule 7.1(i) before the Honorable Joel A. Pisano, U.S.D.J., at the United States District Court for the District of New Jersey, for an Order granting Zydus’s Motion for Reconsideration of Claim Construction.

PLEASE TAKE FURTHER NOTICE that in support of its Motion, Zydus will rely on the Memorandum of Law and the Declaration of Vincent P. Rao II, submitted herewith.

PLEASE FURTHER TAKE NOTICE that a proposed form of Order is submitted herewith in accordance with L. Civ. R. 7.1(e).

PLEASE FURTHER TAKE NOTICE that oral argument is requested.

Respectfully submitted,

Dated: October 19, 2011

KELLEY DRYE & WARREN LLP

By: s/Vincent P. Rao II
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*Attorneys for Defendants
Zydus Pharmaceuticals USA, Inc.
and Cadila Healthcare Limited*

CERTIFICATE OF SERVICE

I hereby certify that on October 19, 2011 I caused to be served a copy of the foregoing Defendants Zydus Pharmaceuticals, USA, Inc. and Cadila Healthcare's Notice of Motion For Reconsideration Of Claim Construction, the Memorandum of Law in Support of the Motion, the Declaration Of Vincent P. Rao II in Support of the Motion and a Proposed Order on each interested party in this action in accordance with the electronic filing procedures of the United States District Court for the District of New Jersey.

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Dated: October 19, 2011

s/Vincent P. Rao II

Vincent P. Rao II